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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**

5 CHASOM BROWN, WILLIAM BYATT,
6 JEREMY DAVIS, CHRISTOPHER
7 CASTILLO, and MONIQUE TRUJILLO
8 individually and on behalf of all other similarly
9 situated,

10 Plaintiffs,

11 v.

12 GOOGLE LLC,

13 Defendant.

14 Case NO.: 4:20-cv-03664-YGR

15 **DECLARATION OF MARK MAO IN**
16 **OPPOSITION TO GOOGLE'S**
17 **ADMINISTRATIVE MOTION (DKT. 810)**

DECLARATION OF MARK C. MAO

I, Mark C. Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. Google represented during a January 3, 2023 meet and confer that Google is likely amenable to a stipulation whereby Plaintiffs can seek more severe sanctions (including terminating sanctions) in their January 20 Order to Show Cause submission, and Google receives additional pages in its already scheduled Reply brief.

3. Attached hereto as **Exhibit 1** is a true and correct copy of a letter that Google's counsel sent to Plaintiffs on December 20, 2022.

4. Attached hereto as **Exhibit 2** is a true and correct copy of an email exchange between counsel for Google and counsel for Plaintiffs.

5. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the January 6, 2022 deposition of Google employee Justin Schuh.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4th day of January, 2023, at San Francisco, California.

/s/ *Mark Mao*